

Atty. Docket No.: 15675.P368

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Christine Favier

Application No.: 09/890,841

Filed: August 2, 2001

For: **METHOD FOR DETECTING BACTERIA
CULTIVATED IN ANAEROBIC CONDITION**

Examiner:

Art Group:

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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to Rule 1.97, Applicant desires to make of record the reference(s) set forth on the attached Form PTO 1449 which were cited in a search report dated May 22, 2000 of the corresponding French application. Enclosed is a copy of the search report which indicates the degree of relevance found by the foreign office where documents cited as category X are deemed relevant when taken alone; documents cited as category Y are deemed relevant when taken in combination with another reference; documents cited as category T are directed to the theory or principle underlying the invention; and documents cited as category A are deemed relevant as technological background. A copy of each reference is submitted herewith.

It is noted that the column labeled "Categorie" translates to Category, the column "Citation du document avec indication, en cas de besoin, des parties pertinentes" translates to citation for document with indication, where appropriate, of relevant passages and the column labeled "Revendications concemees de la demande examinee" translates to relevant to claims.

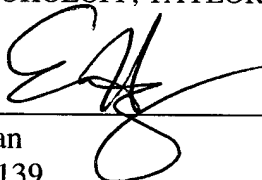
It is hereby stated that this Information Disclosure Statement is being filed prior to the issuance of the initial office Action, therefore no petition or fee is required. However, in the event a petition is needed for consideration of this Information Disclosure Statement, Applicant hereby so petitions. Please charge any additional fee due to Deposit Account 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: _____

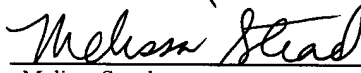
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Eric S. Hyman
Reg. No. 30,139

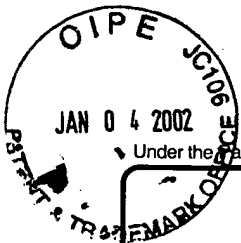
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CERTIFICATE OF MAILING

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Melissa Stead

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Applicati n Number	09/890,841
		Filing Dat	August 2, 2001
		First Nam d Inv nt r	Christine Favier
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	11	Attorney Docket Number	15675P368

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JAN 10 2002

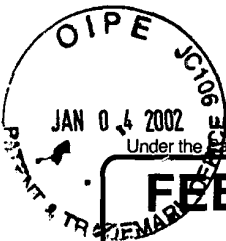
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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Form 1449; Prior Art References ; return postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Eric S. Hyman, Reg. No. 30,139 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
Signature	
Date	11/26/01

CERTIFICATE OF MAILING (OR TRANSMISSION)			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 11-26-01			
Typed or printed name	Melissa Stead		
Signature		Date	11-26-01

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number	09/890,841
Filing Date	08/02/01
First Named Inventor	Christine Favier
Examiner Name	
Group Art Unit	
Attorney Docket Number	15675P368

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

- ☒ Charge Any Additional Fee Required Under 37CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. FILING FEE

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. CLAIMS

Total Claims	Extra	Fee from below	Fee Paid
27			
Independent Claims			
4			

Multiple Dependent Claims

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple Dependent claim
109	80	209	40	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

* or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEE

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description
105	130	205	65	Surcharge - late filing fee or oath
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.
139	130	139	130	Non-English specification
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination
112	920	112	920	Requesting publication of SIR prior to Examiner action
113	1,840	113	1,840	Requesting publication of SIR after Examiner action
115	110	215	55	Extension for response within first month
116	390	216	195	Extension for response within second month
117	890	217	445	Extension for response within third month
118	1,390	218	695	Extension for response within fourth month
128	1,890	228	945	Extension for response within fifth month
119	310	219	155	Notice of Appeal
120	310	220	155	Filing a brief in support of an appeal
121	270	221	135	Request for oral hearing
138	1,510	138	1,510	Petition to institute a public use proceeding
140	110	240	55	Petition to revive - unavoidably
141	1,240	241	620	Petition to revive - unintentionally
142	1,240	242	620	Utility issue fee (or reissue)
143	440	243	220	Design issue fee
144	600	244	300	Plant issue fee
122	130	122	130	Petitions to the Commissioner
123	50	123	50	Petitions related to provisional applications
126	180	126	180	Submission of Information Disclosure Stmt
581	40	581	40	Recording each patent assignment per property (times number of properties)
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))
179	710	279	355	Request for Continued Examination (RCE)
169	900	169	900	Request for expedited examination of a design application

Other fee (specify) _____

SUBTOTAL (3) (\$)

* Reduced by Basic Filing Fee Paid

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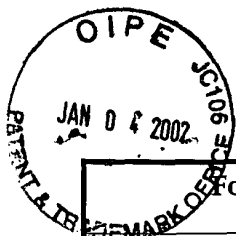
Typed or Printed Name Eric S. Hyman, Reg. No. 30,139

Signature [Signature] Date 11/21/01

Complete (if applicable)

Reg. Number _____
Deposit Account User ID 02-2666

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Form PTO-1449 (Modified)	Atty Docket No. 15675P368	Application No. 09/890,841
List of Patents & Publications Statement	Applicant(s): Christine Favier	
(Use several sheets if necessary)	Filing Date: August 02, 2001	Group No.:

U.S. PATENT DOCUMENTS

Exam. Initials		Document Number	Date	Name	Class	Sub-class	Filing Date (if appropriate)
	AA	3725203	04/03/1973	Sellers, Jr.	195	100	
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

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FOREIGN PATENT DOCUMENTS

Exam. Initials		Document Number	Date	Country	Class	Sub-class	Translation Yes	No
	AL	0238243	10/03/1987	European	C12 Q 1	04		
	AM	2696476	07/10/1992	France	C12Q1	04		
	AN	2747394	15/04/1996	France	C12N1	20		
	AO							
	AP							
	AQ							

OTHER ART (Including Title, Author, Date, Pertinent Pages, etc.)

Exam. Initials		Document Identification
	AR	Chevalier P. et al, Journal of Microbiological Methods, vol. 13, no. 1, April 1, 1991, page 75-83
	AS	Patent Abstracts of Japan, vol. 016, no. 238 (C-0947), June 2, 1992, 1 page
	AT	

Examiner: _____ Date Considered: _____

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication